

**MINUTES OF THE
JOINT PUBLIC EDUCATION APPROPRIATIONS SUBCOMMITTEE MEETING
WEDNESDAY, FEBRUARY 11, 2004
ROOM 129, STATE CAPITOL BUILDING**

Members Present: Sen. Howard Stephenson, Co-Chair
 Rep. Gordon Snow, Co-Chair
 Sen. James Evans
 Sen. Karen Hale
 Sen. Lyle Hillyard
 Sen. Bill Wright
 Rep. Doug Agard
 Rep. Duane Bourdeaux
 Rep. Judy Ann Buffmire
 Rep. LaVar Christensen
 Rep. David N. Cox
 Rep. Marda Dillree
 Rep. Glenn Donnelson
 Rep. John Dougall
 Rep. Karen Morgan

Members Excused: Rep. James Ferrin

Staff Present: R. Michael Kjar, Sr. Fiscal Analyst
 Ben Leishman, Legislative Analyst
 Katrina Yarrington, Secretary

Public Speakers Present: Steve Laing, State Superintendent, USOE
 Patrick Ogden, Associate Superintendent, USOE
 Lee Robinson, Superintendent, USDB
 Jim Eldredge, Utah Education Association (UEA)
 Joe Zeidner, Chairman, Jean Massieu School

A list of visitors and a copy of handouts are filed with the committee minutes.

Committee Co-Chair Stephenson called the meeting to order at 2:23 p.m.

1. Approval of minutes - Sen. Evans moved to approve the minutes of February 5th & February 9th.

The motion passed unanimously with Sen. Hillyard, Sen. Wright, Rep. Christensen, and Rep. Dougall absent for the vote.

2. Requests for Appropriation - Mike Kjar presented a request from Rep. Johnson for an appropriation of \$150,000 for the Professional Development Scholarships for rural school teachers, which was a program funded through a bill several years ago. Funding for this program was cut during 2002. The request is for funding to continue the program.
3. Jean Massieu Charter School- Joe Zeidner, Chairman, Jean Massieu School gave a presentation about the school's need for additional funding and support. Mr. Zeidner had with him, his daughter Jessie, who is a deaf child that attends the school.

Sen. Stephenson suggested that the committee look at giving differential funding for deaf and blind charter schools such as Jean Massieu. He also asked Mr. Zeidner about the current finances and need of the school.

Lee Robinson, Superintendent, USDB, responded to questions raised by Mr. Zeidner's presentation.

MOTION: Rep. Dillree moved that the committee ensure that the exact same services that are provided USDB are provided at Jean Massieu. If some services are not required at Jean Massieu funding should be provided without strings attached so that there is flexibility, as in the USDB schools. Estimated at an amount of \$8,700 per student, for students that should qualify for that funding to address the needs at their school.

Rep. Dillree withdrew her motion in favor of Sen. Stephenson's proposal. Sen. Stephenson's proposal would appropriated 2/3 the classroom amount per student.

Sen. Stephenson passed around a handout that showed the USDB/Jean Massieu cost comparison.

4. USOE Updates - Patrick Ogden, Associate Superintendent, USOE detailed handouts given to committee members, he was assisted by Steve Laing, State Superintendent, USOE. Provided suggested language on the Minimum School Program Non-Lapsing Balance they propose the following be put in statutory language:

Any surplus funds in the Minimum School Program shall be used for the following purposes and in the following order:

- (1) First, maintain the value of the weighted pupil unit
- (2) Second, fund MSP programs where enrollment or WPU's may have been underestimated
- (3) Third, fund the Early Graduation Incentives Program found in 53A-15-102
- (4) Fourth, fund out of state student enrollments
- (5) Fifth, fund the Loss in Student Enrollment Program found in 53A-17a-139
- (6) Special studies, contracted audits, and other uses as determined by the State Board of

Education.

The state superintendent of public instruction may transfer any remaining unused amount to other programs included in the minimum school program, the capital outlay foundation program or to the capital outlay revolving loan fund.

If surplus funds are transferred to another program, the state superintendent, if he determines certain districts and charter schools have greater need for additional funds, may designate the districts and charter schools as well as the programs to which the transferred funds will be allocated.

There was extensive discussion among committee members about the information provided above. There were many concerns with the language of the proposal from many committee members.

In the second handout Mr. Ogden discussed the definition of teacher, as defined in HB 41 passed in the 2001 General Session. USOE is recommending that if there is an appropriation for teacher supplies for FY 2005, that 2001 language defining "teachers" be restored to the following definition:

"Teachers' mean permanent teacher positions filled by one teacher or more job-sharing teachers who are licensed personnel, paid on the teacher's salary schedule, and hired for an entire contract period, and whose primary function is to provide instructional or a combination of instructional and counseling services to students in the public schools."

Brief discussion about teacher supply funding issues, and where the funding would come from.

5. Base Budget Adoption - Rep. Snow went through the handout provided by the Fiscal Analyst's Office for the FY2005 Base Budget Motions and the FY 2004 Supplemental Motions, and detailed which motions would be voted on in the current meeting and which would be voted on in the next meeting. The following are motions that were moved by Rep. Snow:

Public Education Agencies – State Office of Education

(1) **MOTION:** I move to adopt the Analyst's total base budget recommendations for the Utah State Office of Education of \$195,284,100, as detailed by program in TAB 13, pages 8, 9, 11, 12 of the FY 2005 Budget Analysis. Further, I move to approve the Teacher Licensing Fee schedule as presented in TABLE A, in TAB 13, page 6. As well as the following Intent Language:

It is the intent of the Legislature that the State Board of Education submit a Teacher Licensing Fee Plan, consistent with UCA 63-38-3.2, in its FY 2006 budget request to the Governor and the Legislature that provides enough fee revenue to fund operations of the Educator Licensing Section at the State Office of Education without the use of Uniform School Funds.

(2) **MOTION:** I move to adopt the total revenue of \$960,000, authorized capital outlay of \$22,100, and 8 Full Time Equivalent employees as recommended by the Analyst for the USOE – Internal Service Fund.

I move the following rate structure for the USOE – Internal Service Fund:

Printing: \$17.00 per hour labor
 .04 per copy

 Cost plus 35 percent on printing supplies

Mail Room: Cost plus 25 percent on postage

(3) **MOTION:** I move to adopt the Analyst recommendations for the USOE – Indirect Cost Pool. This includes total revenue of \$3,887,000, authorized capital outlay of \$14,800, 49 Full Time Equivalent employees.

I move the following rate structure for the USOE – Indirect Cost Pool:

13 percent of personal service costs supported by restricted funds.
19 percent of personal service costs supported by unrestricted funds.

Public Education Agencies – Utah State Office of Rehabilitation

(4) **MOTION:** I move to adopt the Analyst's total base budget recommendations for the Utah State Office of Rehabilitation of \$49,634,800, as detailed by program in TAB 14, pages 6, 7, 9, 10, 11 of the FY 2005 Budget Analysis.

Public Education Agencies – Child Nutrition Programs

(5) **MOTION:** I move to adopt the total base budget of 107,875,200 for the Child Nutrition Programs as detailed in TAB 16 of the FY 2005 Budget Analysis presented by the Analyst.

Public Education Agencies – Education Contracts

(6) **MOTION:** I move to adopt the total base budget of \$3,854,800 for Education Contracts as detailed by program in TAB 18, pages 3 and 4 in the FY 2005 Budget Analysis.

Minimum School Program – RED TAB #7

(7) **MOTION:** I move to adopt the total revenue of \$2,010,092,851 to the Minimum School Program of which \$1,605,193,274 is from the Uniform School Fund and \$404,899,577 from local revenue sources.

(8) **MOTION:** I move that the Basic Tax Rate be set at 0.001754 for FY 2005.

(9) **MOTION:** I move to adopt the value of the Weighted Pupil Unit at \$2,150.

(10) **MOTION:** I move a total of 633,425 Weighted Pupil Units for the Minimum School Program with a total expenditure of \$1,361,863,750 for the following programs as detailed in the table in TAB 7, page 3.

Weighted Pupil Unit Distribution

Regular Basic School Program:

Kindergarten	20,879
Grades 1-12	432,774
Necessarily Existent Small Schools	7,605
Professional Staff	42,281
Administrative Costs	1,657
TOTAL	505,196

Restricted Basic School Program

Special Education – Regular Program	
a. Special Education add on WPU's	53,570
b. Self-Contained Regular WPU's	12,452
Special Education – Pre-school	6,408
Extended Year Program for Severely Disabled	341
Special Education-State Programs	1,358
Subtotal Special Education	74,129
Applied Technology Education – District	23,348
Applied Technology Education – District Set Aside	995
Subtotal Applied Technology	24,343

Class Size Reduction	29,757
TOTAL	633,425

(11) **MOTION:** I move to adopt the Social Security and Retirement costs as determined by final weighted pupil unit approvals and any additional for rate increases, or compensation package that may be funded by the Legislature.

(12) **MOTION:** I move the adoption of \$156,336,218 for the Voted Leeway Program and \$44,353,915 for the Board Leeway Program for FY 2005, Minimum School Program.

(13) **MOTION:** I move the adoption of \$27,288,900 for the School Building Program.

The motion passed unanimously with Sen. Hillyard absent for the vote.

6. Budget Prioritization - Mike Kjar, Fiscal Analyst, handed out the Major Funding issues and budget prioritization list to the committee members.

Rep. Snow made some suggestions on items the co-chairs think should be funded.

There were a few questions about specific funding issues amongst committee members.

MOTION: Rep. Snow moved to adjourn.

Co-Chair Stephenson adjourned the meeting at 4:10 p.m.

Minutes reported by Katrina Yarrington, Secretary.

Sen. Howard Stephenson, Committee Co-Chair

Rep. Gordon Snow, Committee Co-Chair